IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No. 1056 of 1998

In

SPECIAL CIVIL APPLICATION No. 2834 of 1994

with

CIVIL APPLICATION No 8378 of 1998

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG
HON'BLE MR.JUSTICE RAVI R.TRIPATHI

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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RAGUVIR SYNTHETICS PVT LTD - Petitioner(s)

Versus

RAJABALI SUKHADEV - Respondent(s)

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Appearance :

MR PC MASTER for Petitioner No(s).: 1.
MS YD SAHARKAR for Respondent No(s).: 1.
MR MAHENDRA K PATEL for Respondent No(s).: 1.

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CORAM :HONOURABLE MR.JUSTICE R.S.GARG
HON'BLE MR.JUSTICE RAVI R.TRIPATHI

Date : 04/07/2005

COMMON ORAL JUDGMENT

(Per : HONOURABLE MR.JUSTICE R.S.GARG)

1.Heard the learned counsel for the parties. Present is an appeal against the order dated 30th July, 1998 passed by the learned Single Judge in Special Civil Application No. 2834 of 1994.

2.Various grounds have been raised in support of the appeal including application of Standing Order No.12(5) to contend that in view of unauthorized absence, the workman lost his lien and could not be directed to be reinstated without back wages, but taking into consideration that the learned Single Judge was of the opinion that the petition was under Article 227 of the Constitution and relying upon the case of Mohd. Yunus Vs. Mohd. Mustaqim &ors., reported in AIR 1984 SC 38, the learned Single Judge also observed that in supervisory jurisdiction, interference could not be made, we are of the opinion that there is no scope for interference in the matter. The appeal is dismissed. Consequently, Civil Application is rejected.

[RAVI R.TRIPATHI, J.]

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